

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively  
Consolidated SIPA Liquidation of Bernard L.  
Madoff Investment Securities LLC and the Chapter  
7 Estate of Bernard L. Madoff,

Plaintiff,

v.

EQUITY TRADING PORTFOLIO LIMITED,  
EQUITY TRADING FUND, LTD, and BNP  
PARIBAS ARBITRAGE, SNC,

Defendants.

Adv. Pro. No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-04457 (CGM)

**ORDER DISMISSING CERTAIN CLAIMS AND SETTING RESPONSE DEADLINE**

**WHEREAS**, on November 30, 2010, plaintiff Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities (“BLMIS”) and the chapter 7 estate of Bernard L. Madoff, commenced the above-captioned adversary proceeding by filing a complaint (“Complaint”) that asserted claims under federal bankruptcy law, state bankruptcy law, and common law (ECF Nos. 1–2);

**WHEREAS**, on July 15, 2022, the Court so ordered a stipulation dismissing without prejudice claims against defendant BNP Paribas Arbitrage, SNC (ECF No. 137); and

**WHEREAS**, the Trustee now seeks to dismiss without prejudice defendant Equity Trading Fund, Ltd. (“Equity Trading Fund”) from the Complaint and certain claims against defendant Equity Trading Portfolio Limited (“Equity Trading Portfolio”), such that the Complaint’s sole remaining claim shall be Count Two against Equity Trading Portfolio for the avoidance and recovery of alleged fraudulent transfers under Bankruptcy Code sections 548(a)(1)(A) and 550(a).

**IT IS NOW, THEREFORE, HEREBY ORDERED**, that:

1. Pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure, as incorporated by Rule 7015 of the Federal Rules of Bankruptcy Procedure, the Trustee amends his Complaint to dismiss without prejudice Equity Trading Fund from the Complaint.
2. Pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure, as incorporated by Rule 7015 of the Federal Rules of Bankruptcy Procedure, the Trustee amends his Complaint to dismiss without prejudice Counts One, Three, Four, Five, Six, Seven, and Ten against Equity Trading Portfolio.
3. The caption for the Complaint is amended to remove Equity Trading Fund and BNP Paribas Arbitrage, SNC from the caption, consistent with the attached Exhibit A.
4. Equity Trading Portfolio shall respond to the Complaint by September 16, 2022.

**Dated: August 18, 2022**  
**Poughkeepsie, New York**



**/s/ Cecelia G. Morris**

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**Hon. Cecelia G. Morris**  
**U.S. Bankruptcy Judge**